



OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

---

## Organization and Administration Committee

Mark Wagoner, Chair  
Edward Gilbert, Vice-chair

July 14, 2016

Ohio Statehouse  
Room 017

## **OCMC Organization and Administration Committee**

Chair        Mr. Mark Wagoner  
Vice-chair  Mr. Edward L. Gilbert  
              Ms. Paula Brooks  
              Rep. Kathleen Clyde  
              Mr. Douglas R. Cole  
              Rep. Robert R. Cupp  
              Mr. Charles F. Kurfess  
              Sen. Michael Skindell

**For Internet Access in the Ohio Statehouse:** select "oga" from the list of network options.  
A passcode/password is not required.



**OHIO CONSTITUTIONAL MODERNIZATION COMMISSION**

**ORGANIZATION AND ADMINISTRATION COMMITTEE**

---

**THURSDAY, JULY 14, 2016  
12:30 P.M.  
OHIO STATEHOUSE ROOM 017**

**AGENDA**

- I. Call to Order
- II. Roll Call
- III. Approval of Minutes
  - Meeting of September 10, 2015  
*[Draft Minutes – attached]*
- IV. Committee Discussion
  - Rules of Procedure and Conduct, Rules 5.3, 5.4, 5.5, and 5.6 – Standing Committees  
*[Copy of Section 5.0 of the Rules of Procedure and Conduct – attached]*  
*[Memorandum by Steven C. Hollon titled “OCMC Standing Committees,” Dated July 7, 2016 – attached]*
  - Rules of Procedure and Conduct, Rule 3.9 – Commission Quorum  
*[Copy of Section 3.0 of the Rules of Procedure and Conduct – attached]*
- V. Old Business
- VI. New Business
- VII. Public Comment
- VIII. Adjourn

This page intentionally left blank.



## OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

---

### MINUTES OF THE ORGANIZATION AND ADMINISTRATION COMMITTEE

FOR THE MEETING HELD  
THURSDAY, SEPTEMBER 10, 2015

#### **Call to Order:**

Chair Mark Wagoner called the meeting of the Organization and Administration Committee to order at 11:35 a.m.

#### **Members Present:**

A quorum was present with Chair Wagoner and committee members Brooks, Cole, Kurfess, and Skindell in attendance.

#### **Approval of Minutes:**

The minutes of the September 11, 2014 and July 9, 2015 meetings of the committee were approved.

#### **Presentations:**

*“Proposed Amendments to Rules of Procedure and Conduct”*

*Steven C. Hollon*  
*Executive Director*

Executive Director Steven C. Hollon presented a new draft of the Rules of Procedure and Conduct incorporating changes discussed at the committee’s last meeting. Mr. Hollon referenced a memorandum on the topic, provided in the meeting packet, describing the proposed changes to the rules.

Senator Michael Skindell then discussed amendments he was proposing to the rule changes, to further clarify that if a committee or the Commission is recommending no change to a constitutional provision, there can be at least one meeting, but if a change is recommended, the

committee or Commission is required to consider the change in at least two consecutive meetings.

The committee first considered the initial amendment as proposed at its previous meeting. Upon motion by committee member Doug Cole, and second by Ms. Brooks, there were no objections to the amendment. The amendment was adopted.

The committee then considered whether the clarifying amendment as proposed by Sen. Skindell should be adopted. Chair Wagoner asked for a roll call on the motion to adopt the amendment to the rules with Sen. Skindell's amendment.

Yea – 5  
Nay – 0  
Absent – 3

Commissioner Brooks – yea  
Doug Cole - yea  
Speaker Kurfess – yea  
Senator Skindell – yea  
Mark Wagoner – yea

The roll call vote passed unanimously. Chair Wagoner then asked staff to harmonize the changes and circulate the new version of the rules.

*“FY2016 Proposed Budget”*

*Steven C. Hollon*  
*Executive Director*

The committee then turned to the Commission's proposed budget for the new fiscal year. Mr. Hollon stated that the committee could not vote to adopt the budget at the last meeting because there was not a quorum. Mr. Hollon described the changes in the budget from last year, indicating that staff now has all necessary furniture and has a better estimate of the costs for office supplies.

Sen. Skindell asked whether, for the most part, the Commission will adhere to these particular line items, not to exceed. Mr. Hollon said there is a \$600,000 annual budget, and he worked with the Legislative Service Commission budget person to address the various allocations. Sen. Skindell asked, if there is a change, such as if staff needs to spend more on office supplies, whether the committee would be consulted or whether the amount would just come from another category. Chair Wagoner offered that the solution would be to treat the budget figures as “not to exceed” numbers, and for Mr. Hollon to get a vote from the committee if it is necessary to exceed the budgeted amount.

Committee member Paula Brooks referenced an interest she has expressed on other occasions to have the Commission hold meetings on the road. She asked whether, if the Commission does

that, the budget would suffice to cover that expense. Mr. Hollon said that is a good question to which he doesn't know the answer at this time.

Sen. Skindell noted that when he sat on one of the redistricting committees in the General Assembly, the group held hearings in Lima and Cincinnati. He said those trips required an overnight stay, and there may be some expense if the Commission does something similar. Ms. Brooks said it is part of democracy to be sure the Commission has the input of many people, so it is important to get out to other parts of Ohio. She said that concept is critical to this process, and she finds it disappointing that the Commission hasn't traveled in the three years of its existence. Sen. Skindell agreed the Commission might do this, but if meetings are held in other communities it would be necessary to get the funding if there will be overnight expenses.

Chair Wagoner asked for a motion to approve the budget, and Sen. Skindell so moved, with a second by Mr. Cole. The budget passed unanimously by roll call vote.

With leave of the chair, Ms. Brooks then introduced a guest, Awa Moriba Coulibaly, Project Manager with the Prime Minister's office, and a citizen of Cote d'Ivoire, whom Brooks is sponsoring in Columbus as a guest of the United States State Department. She said Coulibaly is participating in a program to allow her to learn about local government, and that she will produce a report on women leaders and youth.

**Adjournment:**

There being no further business to come before the committee, the meeting was adjourned.

**Approval:**

The minutes of the September 10, 2015 meeting of the Organization and Administration Committee were approved at the July 14, 2016 meeting of the committee.

---

Mark Wagoner, Chair

---

Edward L. Gilbert, Vice-chair

This page intentionally left blank.



## **OCMC Rules of Procedure and Conduct**

### **Section 5.0 Standing Committees**

#### **Rule 5.1      Creation**

The Commission shall maintain four standing committees as set forth in Rules 5.3, 5.4, 5.5, and 5.6. The Commission may form additional standing committees as required.

#### **Rule 5.2      Membership**

Each member of the Commission shall be assigned to sit on one standing committee.

#### **Rule 5.3      Organization and Administration Committee**

The Organization and Administration Committee shall serve as a standing committee for the purpose of making recommendations to the Commission and staff regarding budget, staffing, ethics, and rules.

#### **Rule 5.4      Public Education and Information Committee**

The Public Education and Information Committee shall serve as a standing committee for the purpose of making recommendations to the Commission and staff on how best to disseminate information to the public regarding the Commission and its operation, educate the citizens of Ohio regarding the Commission's proposals, and receive input from the public.

#### **Rule 5.5      Liaisons with Public Offices Committee**

The Liaisons with Public Offices Committee shall serve as a standing committee for the purpose of providing information and maintaining relations with all public offices reasonably affected, if at all, by any proposal or action of the Commission.

#### **Rule 5.6      Coordinating Committee**

The Coordinating Committee shall serve as a standing committee for the purpose of coordinating the study of the Ohio Constitution by each subject matter committee. In addition to the provisions of the Ohio Constitution assigned to each subject matter committee for review under Rules 6.3, 6.4, 6.5, 6.6, 6.7, and 6.8, the Coordinating Committee may assign additional provisions or topics for a subject matter committee to review and consider. The Coordinating Committee may provide input to the co-chairs of the Commission for the purpose of developing the agenda for full Commission meetings.

This page intentionally left blank.



## OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

---

### MEMORANDUM

**TO:** Chair Mark Wagoner, Vice-chair Ed Gilbert, and  
Members of the Organization and Administration Committee

**FROM:** Steven C. Hollon, Executive Director

**DATE:** July 7, 2016

**RE:** OCMC Standing Committees

---

The purpose of this memorandum is to explore how the four standing committees of the Ohio Constitutional Modernization Commission (Commission) might be restructured to provide for greater efficiency in their operation.

#### **Coordinating Committee**

The Coordinating Committee has perhaps the most important role of the standing committees. It operates in many ways as the executive committee for the Commission. One of its duties is to review the reports and recommendations issued by each of the subject matter committees for form and completeness. In addition, pursuant to Rule 5.6 of the Commission's Rules of Procedure and Conduct, the committee concerns itself with coordinating the study of the constitution by each subject matter committee, assigning additional provisions or topics of study, and providing input to the Commission co-chairs for the purpose of developing agendas for Commission meetings. Because of these duties, this committee has met more often than any of the other standing committees.

#### *Current Members*

There are eight members of the Coordinating Committee, as follows:

- Trafford(D) Chair
- Davidson(R) Vice-chair
- Coley(R) Senate
- Jordan(R) Senate
- Sykes(D) House

- Abaray(D) Committee chair (Judicial Branch and Administration of Justice)
- Mulvihill(D) Committee chair (Constitutional Revision and Updating)
- Fischer(R) Committee vice-chair (Judicial Branch and Administration of Justice)

The committee has equal representation from each political party, including two senators and one representative, two subject matter committee chairs, and one subject matter committee vice-chair.

### *Possible New Membership*

After reviewing the operation of this and the other standing committees, the Organization and Administration Committee may wish to consider recommending that the Coordinating Committee be restructured to increase its membership from eight to 12, and include the following members:

- Trafford(D) Chair
- Davidson(R) Vice-chair
- Commission co-chair
- Commission co-chair
- Member of the Senate
- Member of the House
- Abaray(D) Committee chair (Judicial Branch and Administration of Justice)
- Mulvihill(D) Committee chair (Constitutional Revision and Updating)
- Cole(R) Committee chair (Finance, Taxation, and Economic Development)
- Mills(R) Committee chair (Legislative Branch and Executive Branch)
- Readler(R) Committee chair (Education, Public Institutions, and Local Government)
- Sapphire(D) Committee chair (Bill of Rights and Voting)

If this structure is approved, the Coordinating Committee would retain its current chair and vice-chair (Trafford and Davidson) and add the Commission co-chairs (Tavares and Amstutz) to the committee. If the Organization and Administration Committee recommends adding the Commission co-chairs to the Coordinating Committee, then the Organization and Administration Committee may also wish to recommend that one Senator and one Representative from the opposite political parties of the Commission co-chairs be added to the committee for political and chamber balance.

In addition, the Organization and Administration Committee may also wish to add as members the four chairs of the other subject matter committees who are currently not members of the committee.

In total, this new structure would add six new members and would drop off two members. There would be an equal number of representatives from each political party and there would be four legislative members.

Since this committee concerns itself with the tasks of coordinating the study of the constitution by each subject matter committee, plus the assignment of additional provisions or topics for

study, and the provision of input to the Commission co-chairs for the purpose of developing the agenda for Commission meetings, it seems the Commission co-chairs and the committee chairs should be at the same table to discuss these issues. Also, by increasing the committee membership total from eight to 12, it will increase the possibility of achieving a quorum for each meeting since the Commission co-chairs and committee chairs have an increased likelihood of attending meetings due to their responsibilities as Commission and committee leaders.

### **Organization and Administration Committee**

The Organization and Administration Committee is responsible for making recommendations to the Commission regarding budget, staffing, ethics, and rules.

#### *Current Members*

The committee consists of the following eight members:

- Wagoner(R) Chair
- Gilbert(D) Vice-chair
- Skindell(D) Senate
- Clyde(D) House
- Cupp(R) House
- Brooks(D) Public Member
- Cole(R) Public Member
- Kurfess(R) Public Member

The committee currently consists of an even number of members from each political party, with four from each party. It also has one senator as a member and two representatives as members, with three members from the public.

#### *Potential New Membership*

If the Organization and Administration Committee recommends reducing the number of standing committees from four to three, then, as part of the restructuring, it may also wish to consider increasing the membership of its own committee from eight to ten and include the following members:

- Wagoner(R) Chair
- Gilbert(D) Vice-chair
- Member of the Senate
- Member of the Senate
- Member of the House
- Member of the House
- Public Member
- Public Member
- Public Member
- Public Member

If this idea is looked upon with favor, the Organization and Administration Committee could recommend retaining its current chair and vice-chair (Wagoner and Gilbert). It could then add one senator to the existing senator already on the committee, retain both House members, and have four members of the public.

### **Public Information and Liaisons with Public Offices Committee**

The Organization and Administration Committee may also wish to recommend that the Public Education and Information Committee and the Liaisons with Public Offices Committee be combined into one committee known as the Public Information and Liaisons with Public Offices Committee.

Pursuant to Rule 5.4, the current Public Education and Information Committee, is charged with making recommendations to the Commission on how best to disseminate information to the public regarding the Commission and its operation, educating the citizens of Ohio regarding the Commission's proposals, and receiving input from the public. According to Rule 5.5, the Liaisons with Public Offices Committee is responsible for providing information to and maintaining relations with public offices reasonably affected by any proposal of the Commission.

#### *Current Members*

The Public Education and Information Committee consists of the following eight members:

- Beckett(R) Chair
- Macon(D) Vice-chair
- Peterson(R) Member of the Senate
- Sawyer(D) Member of the Senate
- Curtin(D) Member of the House
- Jacobson(R) Public Member
- Readler(R) Public Member
- Sapphire(D) Public Member

The Liaisons with Public Offices Committee consists of the following eight members:

- Asher(D) Chair
- Taft(R) Vice-chair
- Tavares(D) Senate (Commission Co-chair)
- Amstutz(R) House (Commission Co-chair)
- McColley(R) Member of the House
- Bell(D) Public Member
- Mills(R) Public Member
- Talley(D) Public Member

The breakdown of committee members on each of these committees is consistent with the other standing committees. There are an equal number of members from each political party on each of the two committees, and each committee has an equal number of public members. There are also three legislative members on each committee, with one committee having two senators and one representative, and the other committee having one senator and two representatives.

Since January 2014, these two committees have met jointly seven times. They have not met independent of one another in that time period. For all intents and purposes, the two committees operate as one. For that reason, the Organization and Administration Committee may wish to recommend to the full Commission that the two committees be combined into one committee to be known as the Public Information and Liaisons with Public Offices Committee.

### *Potential New Membership*

The newly formed committee could consist of the following ten members:

- Asher(D) Co-chair
- Beckett(R) Co-chair
- Member of the Senate
- Member of the Senate
- Member of the House
- Member of the House
- Public Member
- Public Member
- Public Member
- Public Member

The combined membership of the current two separate committees totals sixteen, while the membership of the proposed new committee would consist of ten. The potential new membership of the new combined committee is listed above. The new membership shows a reduction of six members.

If the Organization and Administration Committee recommends that the total number of standing committees be reduced from four to three, this would create an odd number of chair opportunities, which would create an imbalance between the parties. To resolve that difficulty, the committee may wish to propose that the chairmanship of a new Public Information and Liaisons with Public Offices Committee be exercised as a co-chairmanship. This is how the combined meetings of the committees have been conducted in the past, so to adopt this would merely take the past practice and adopt it into formal status.

### **Conclusion**

The Organization and Administration Committee may wish to make a formal recommendation to the full Commission to revise the Commission's Rules of Procedure and Conduct to reflect these changes.

This page intentionally left blank.



## OCMC Rules of Procedure and Conduct

### Section 3.0 Commission Meetings

#### **Rule 3.1 Meetings**

The Commission shall meet regularly, but not less than once every three months, on a date mutually agreed upon and specified by the Commission co-chairs, and at such other times as the co-chairs may jointly call.

#### **Rule 3.2 Location**

The Commission shall meet in Columbus at a location selected by the Commission co-chairs. The co-chairs may from time to time jointly designate a location outside Columbus to conduct a meeting of the Commission.

#### **Rule 3.3 Public Notice**

Notice of all meetings of the Commission shall be posted to the Commission's website prior to the occurrence of the meeting and at a time not later than required by R. C. 121.22, Ohio's Open Meetings Act.

#### **Rule 3.4 Public Session**

All meetings of the Commission shall be conducted in public session in accordance with R.C. 121.22, Ohio's Open Meetings Act.

#### **Rule 3.5 Agenda**

The Commission co-chairs shall set the agenda for all regular and special meetings of the Commission. The agenda for a Commission meeting shall be circulated to the members of the Commission not less than two business days prior to the date of the scheduled meeting.

#### **Rule 3.6 Co-Chairs Presiding**

The Commission co-chairs shall preside at all Commission meetings, maintain order, and, subject to appeal to the Commission, decide questions of order. If either co-chair anticipates missing a meeting of the Commission, that co-chair may select a member of the Commission as co-chair *pro tem* to serve at the meeting of the Commission in the co-chair's absence. If either co-chair unexpectedly misses a meeting of the Commission, the remaining co-chair shall preside over the Commission meeting without the need to name a co-chair *pro tem*.

#### **Rule 3.7 Rules of Order**

Except to the extent that it conflicts with the law of Ohio or these Rules, Robert's Rules of Order Newly Revised (11<sup>th</sup> ed.) shall govern the deliberative actions of the Commission.

**Rule 3.8 Attendance**

Unless otherwise provided by these Rules, a member of the Commission must be physically present at a meeting of the Commission in order to participate. A member shall not be permitted to name a designee to participate in a meeting of the Commission in place of the member.

**Rule 3.9 Quorum**

The presence of twenty-one members of the Commission shall constitute a quorum.

**Rule 3.10 Proxy Voting**

No member of the Commission shall be permitted to vote on a question pending before the Commission by proxy vote.

**Rule 3.11 Action by the Commission**

Except as otherwise prescribed by law or these Rules, the Commission shall take no action or approve any question pending before it unless upon the presence of a quorum and the affirmative vote for approval by seventeen members of the Commission.

**Rule 3.12 Minutes**

All actions of the Commission shall be documented through the taking of minutes at every Commission meeting. Once a draft of the minutes is prepared, it shall be distributed to Commission members by the Executive Director or the director's designee. The proposed minutes shall then be considered for approval at the next meeting of the Commission.

This page intentionally left blank.



## OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

---

### **2016 Meeting Dates**

September 8

October 13

November 10

December 8